

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**1949 Industrial Park Road, Room 110**  
**Conway, South Carolina 29526**

and

**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**Office of Environmental Quality Control**  
**Water Quality Certification and Wetlands Programs Section**  
**2600 Bull Street**  
**Columbia, South Carolina 29201**

REGULATORY DIVISION  
Refer to: P/N #2006-2437-3IT

3 November 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 of the Clean Water Act (33 U.S.C. 1344), the South Carolina Coastal Zone Management Act (48-39-10 et. seq.), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et. seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**BAREFOOT LANDING TRANSIENT DOCK, LLC**  
**c/o QUINTON EPPS**  
**701 GERVAIS STREET, SUITE 120**  
**COLUMBIA, SOUTH CAROLINA 29201**

for a permit to excavate material from and to construct a docking facility on the

**ATLANTIC INTRACOASTAL WATERWAY**

at 4898 U.S. Highway 17, North Myrtle Beach, South Carolina (Latitude 33.7913° N, Longitude 78.7729° W).

In order to give all interested parties an opportunity to express their views

**NOTICE**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, 4 DECEMBER 2006**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a floating dock, boat slips, linear docking space and excavating material. In detail, the work consists of constructing 8' X 353.5' floating dock extending downstream from the existing dock. From the floating dock, 4.5' X 33.5' walkways will extend towards center of channel forming 32' wide boat slips. In addition a 123' X 8' linear docking space will be constructed downstream of the proposed boat slips. Approximately 994 cubic yards of material will be excavated from the proposed boat slip area to provide a depth of 4' below MLW for boat access. The spoil material will be placed on a barge lined with filter fabric and transported to area where it will be offloaded on to trucks. The trucks, also lined with filter fabric, will then transport the material to a location south of the intersection of Long Bay and Hunters Trail, Horry County, South Carolina. It is understood that this work will be conducted on/or adjacent to an area subject to a prism and/or disposal easement held by the United States. If a permit is issued, appropriate provisions will be

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included to ensure the interests of the Federal Government are understood. The purpose of the project is to expand the existing facility.

**NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
1949 Industrial Park Road, Room 110  
Conway, South Carolina 29526**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the South Carolina Coastal Zone Management Act (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State

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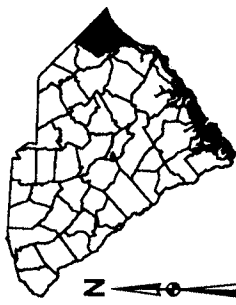
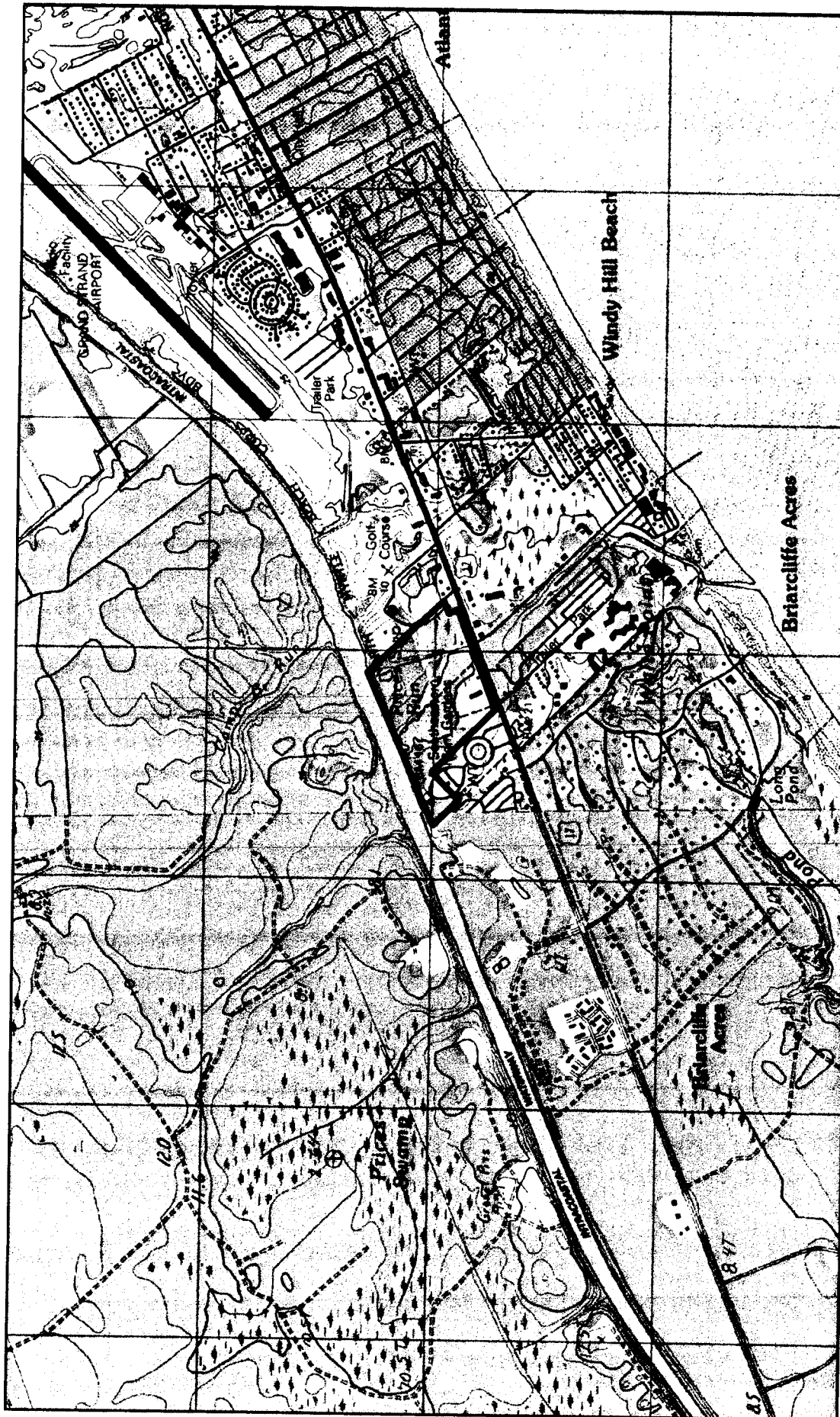
Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Jay M. Thomas at 843-365-4316.



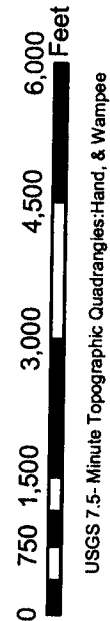
**MULKEY**  
ENGINEERS & CONSULTANTS

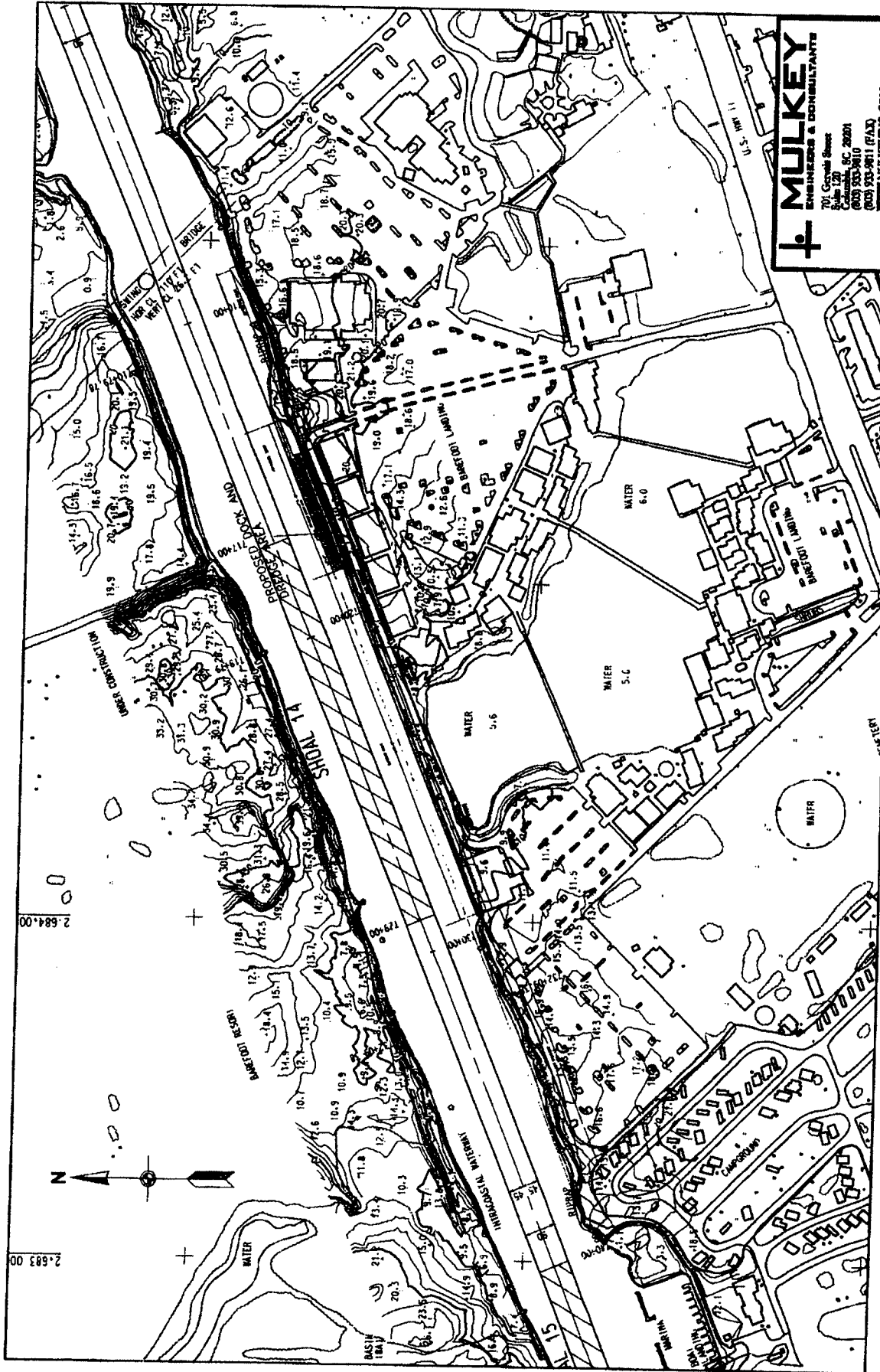
Prepared For:  
Barefoot Landing Inc  
Sac # 2006-2437-31T

**Project Vicinity**  
Barefoot Landing Marina,  
North Myrtle Beach, SC

**Figure**

**1 of 4**



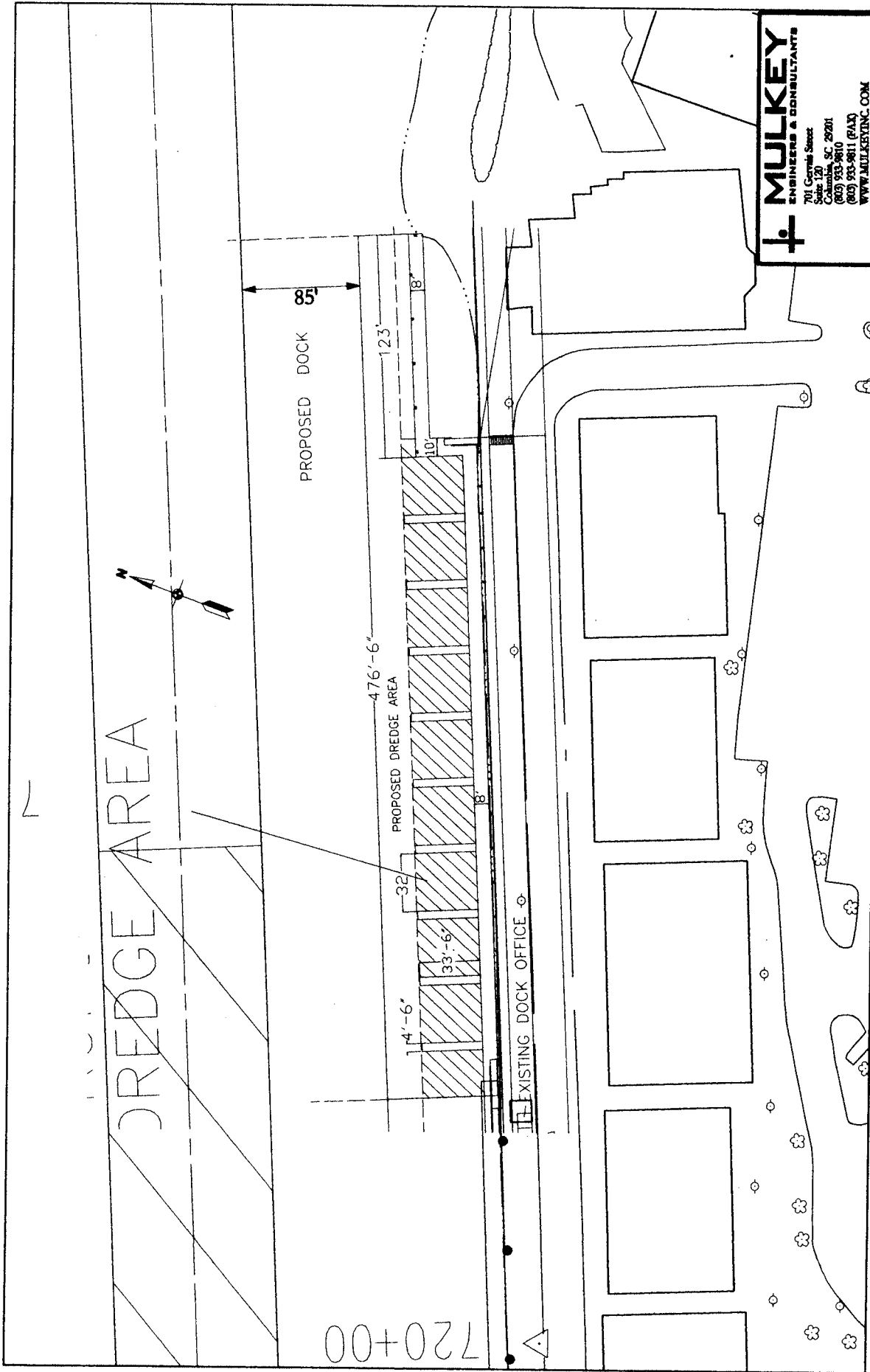


**MULKEY**  
ENGINEERS & CONSULTANTS  
701 Grayville Street  
Suite 120  
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(803) 933-9610  
(803) 933-9611 (FAX)  
WWW.MULKEYINC.COM

Applicant: Barefoot Landing Transient Docks, LLC	Revisions		Sheet Title: Site Overview	
	Date	Initials		
Project Title: Docks Extensions		Date: 10/11/06		Scale: 400':1"
Project Location: North Myrtle Beach, Horry County		SAC # 2006-2437-311		2 of 4

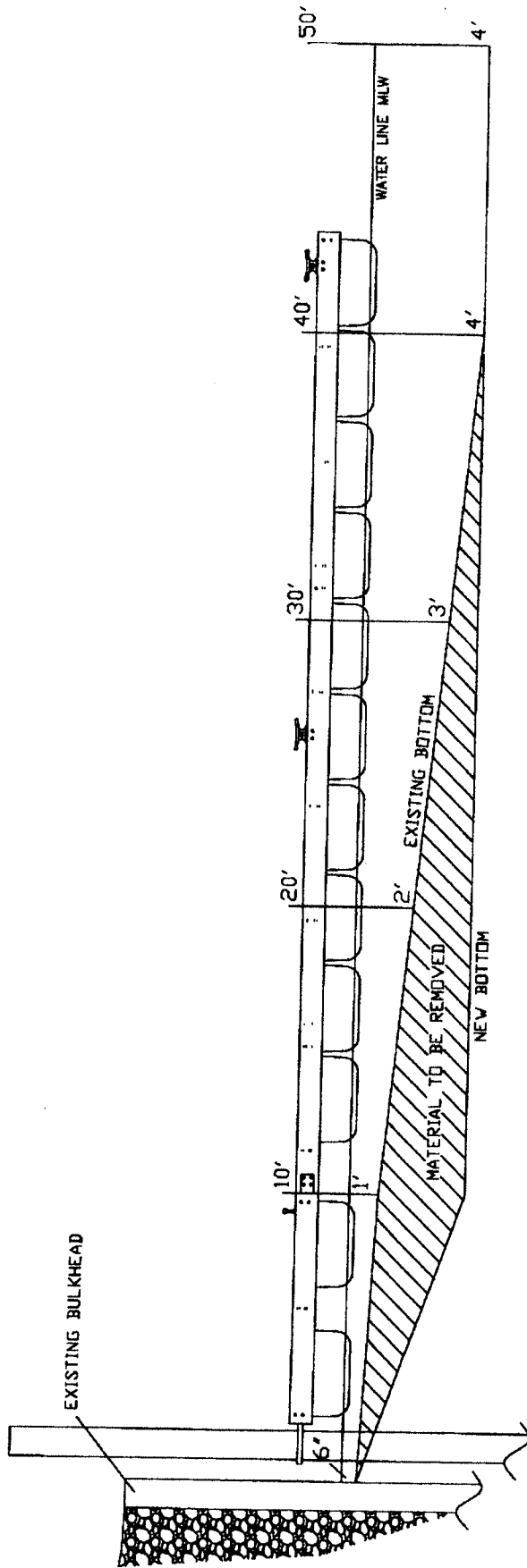
**MULKEY**  
ENGINEERS & CONSULTANTS

701 Germain Street  
Suite 120  
Columbia, SC 29201  
(803) 933-9810  
(803) 933-9811 (FAX)  
WWW.MULKEYINC.COM



Applicant: Barefoot Landing Transient Docks, LLC	Revisions		Sheet Title: East End Blowup
	Date	Initials	
Project Title: Docks Extensions			Date: 10/11/06
			Scale: 75':1"
Project Location: North Myrtle Beach, Horry County			SAC # 2406-2437-317
			3 of 4

PROJECT DEPTH 4 FEET MLW  
944 CUBIC YARDS TO BE REMOVED



**SOUND**  
MARINE

EXCEPTIONAL BY DESIGN  
P.O. Box 13209 • Wilmington, NC, 28403 • 910-355-0346

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REVISION:

REMOVE FUEL TANK

4 of 4

SAC 42006-2437-3.T

DATE:

10/21/05

Ret. BLEASTSIDE

Scale: NOT TO SCALE

Drawn By: R.C. PHELPS

CHECKED BY:

BAREFOOT LANDING TRANSIENT DOCK  
PROPOSED BOTTOM PROFILE